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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,  
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11 Plaintiff,  
12 v.  
13 ANTHONY POMONIS,  
14 Defendant.

Case No. 2:19-CR-137-RSL

ORDER GRANTING  
UNOPPOSED MOTION TO  
CONTINUE TRIAL AND  
PRETRIAL MOTIONS DUE  
DATE

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16 This matter comes before the Court on defendant Anthony Pomonis's "Unopposed  
17 Motion to Continue Trial and Pretrial Motions Due Date." Dkt. #19. Having considered the facts  
18 set forth in the motion, and defendant's knowing and voluntary waiver, the Court finds as  
19 follows:

20 1. The Court adopts the facts set forth in the unopposed motion; specifically, that  
21 defense counsel has multiple trials scheduled between September 2019 and January 2020 and  
22 needs additional time to review discovery and interview witnesses. The Court accordingly finds  
23 that a failure to grant a continuance would deny counsel, and any potential future counsel, the  
24 reasonable time necessary for effective preparation, taking into account the exercise of due  
25 diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

26 2. The Court finds that a failure to grant a continuance would likely result in a  
27 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).  
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ORDER GRANTING UNOPPOSED MOTION TO CONTINUE  
TRIAL AND PRETRIAL MOTIONS DUE DATE - 1

1           3.       The Court finds that the additional time requested between September 23, 2019,  
2 and the proposed trial date of February 24, 2020 is a reasonable period of delay, as defense  
3 counsel has multiple trials scheduled between September 2019 and January 2020 and needs  
4 additional time to review discovery and interview witnesses. The Court finds that this additional  
5 time is necessary to provide defense counsel reasonable time to prepare for trial, considering all  
6 the facts set forth above.

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8           4.       The Court further finds that this continuance would serve the ends of justice, and  
9 that these factors outweigh the best interests of the public and defendant in a speedier trial,  
10 within the meaning of 18 U.S.C. § 3161(H)(7)(A).

11           5.       Defendant has signed a waiver<sup>1</sup> indicating that he has been advised of his right to a  
12 speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived  
13 that right and consented to the continuation of his trial to a date up to and including March 9,  
14 2020, Dkt. #20, which will permit trial to start on February 24, 2020, per defense counsel's  
15 request.

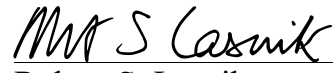
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17           IT IS HEREBY ORDERED that the trial date be continued from September 23, 2019 to  
18 February 24, 2020.

19           IT IS FURTHER ORDERED that the pretrial motions deadline be continued to  
20 November 15, 2019.

21           IT IS FURTHER ORDERED that the period of time from the current trial date of  
22 September 23, 2019, up to and including March 9, 2020, shall be excludable time pursuant to  
23 the 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this  
24 motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A),  
25 and (h)(7)(B).

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28           <sup>1</sup> The caption on the waiver erroneously names "Dennis Peltier" as the defendant instead of  
Anthony Pomonis. However, the waiver itself and the signature line both name Pomonis. Dkt. #20.

1 DATED this 21<sup>st</sup> day of August, 2019.

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4 Robert S. Lasnik  
5 United States District Judge  
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